

Appl. No.: 10/648,370

Docket No. 0033-0900P

Art Unit: 2672

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AMENDMENTS TO THE DRAWINGS

Attached hereto are two (2) replacement sheets of corrected formal drawings that comply with the provisions of 37 C.F.R. § 1.84. these replacement sheets, which depict Figures 2 and 12, replaces the original sheet depicting Figures 2 and 12.

REMARKS

Claims 1-20 are pending in this application. Claims 1 and 17 are independent claims. By this amendment, claims 1, 9, 13, 17, 18 and 20 are amended and Figs. 2 and 12 are amended.

Reconsideration in view of the above amendments and following remarks is respectfully solicited.

Drawing Corrections

Applicants respectfully point out that Figures 2 and 12 are amended as follows:

Original Fig. 2 fails to label element 22. As such, element 22 in Fig. 2 is labeled appropriately in the replacement drawing. Furthermore, original Fig. 12 mislabels the address line as "125" instead of "121". An appropriate correction is made in the replacement drawing of Fig. 12.

As such, Applicants respectfully request that the corrected drawings be approved and made a part of the record of the above-identified application.

Allowable Subject Matter

Applicants gratefully acknowledges the Examiner's indication of allowable subject matter in claim 20 over the art of record. The Office Action also indicates that claim 20 is objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

However, applicants respectfully submit that all of claims 1-20 are allowable, for at least the reasons set forth below.

The Claim Objections Are Obviated

The Office Action objects to claims 1 and 18 for minor informalities contained therein. This objection is respectfully traversed.

Applicants respectfully submit that the amendment to claims 1 and 18 obviates the objection of the claims. However, applicants respectfully submit that the term "common data" in claim 1 is sufficient and clearly supported by at least page 7, lines 7-19 of the present specification.

Accordingly, withdrawal of the objection to claims 1 and 18 is respectfully requested.

The Claims Define Patentable Subject Matter

The Office makes the following rejections:

(1) claims 1-4 and 17 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,315,377 to Isono et al. (hereafter Isono); and

(2) claims 5-16, 18 and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Isono in view of U.S. Patent No. 6,765,568 to Swift et al. (hereafter Swift).

These rejections are respectfully traversed.

Applicants respectfully submit that Isono, either alone or in combination with Swift, fails to teach or suggest each and every feature as set forth in the claimed invention.

The Examiner alleges that Isono discloses generating data for the display from image data based on the instructing. (see Office Action, page 4). Applicants respectfully disagree with this allegation.

For example, in the present invention, the control portion generates a data for the two-dimensional (2D) display and a data for the three-dimensional (3D) display from a common data based on the instructing. The data for the display are generated from a common data stored in memory. The use of this common data eliminates the need to store data for display for each dimension (2D and 3D). Preferably, the common data includes image data corresponding to several views or image data representing a two-dimensional image. (see present specification, page 7, lines 4-19).

In contrast with the present invention, Isono merely discloses an image data processor 32 for controlling image display. (see Isono, col. 6, lines 15-23). However, Isono fails to disclose generating data for 2D display and data for 3D display from a common data. In fact, Isono is completely silent about using a so-called "common data" to arrive at both the 2D display and the 3D display. Furthermore, applicants submit that Isono suggests that both the 3D data and 2D data is stored instead of being generated from a common source.

Applicants submit that the Examiner has failed to show how Isono discloses using any type of "common data" to arrive at both the 2D display data and the 3D display data.

According to MPEP §2131, "a claim is anticipated only if each and every element as set forth in the claim is found, either

expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ...claims." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913 (Fed. Cir. 1989). The elements must be arranged as required by the claims, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Applicants respectfully submit that the Office Action has failed to establish the required *prima facie* case of anticipation because the cited reference, Isono, fails to teach or suggest each and every feature as set forth in the claimed invention.

Applicants respectfully submit that independent claims 1 and 17 are allowable over Isono for at least the reasons noted above.

As for each of the dependent claims not particularly discussed above, these claims are also allowable for at least the reasons set forth above regarding their corresponding independent claims, and/or for the further features claimed therein.

Accordingly, withdrawal of the rejection of claims 1-4 and 17 under 35 U.S.C. §102(b) is respectfully solicited.

Applicants also respectfully submit that Swift fails to make up for the deficiencies found in Isono.

Applicants respectfully submit that neither Isono nor Swift, taken singularly or in combination, (assuming these teachings may

be combined, which applicant do not admit) teach or suggest a "common data" as claimed.

As noted above, Isono fails to disclose using a "common data" to generate both the 2D display and the 3D display. In an attempt to make up for the deficiencies in Isono, the Examiner has imported Swift.

Specifically, the Examiner concedes that Isono fails to disclose common data including image data corresponding to several views. (see Office Action, page 5, last paragraph). However, the Examiner alleges that Swift discloses common data including data corresponding to several views, left and right image views, and displaying a monoscopic 2D image based on a selectively extracted view from one of the left and right views. (see Office Action, page 7). Applicants respectfully disagree with this allegation.

Like Isono, Swift also fails to disclose generating a data for 2D display and a data for 3D display from a common data. Swift merely discloses that an image can appear in 2D like other 2D web based images..., allowing the user to view the images in 2D even if they do not have a stereoscopic viewing device.

However, applicants respectfully submit that Swift fails to disclose generating the 2D display from a so-called "common data" and using this same common data to generate the 3D display.

To establish a *prima facie* case of Obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify

the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 706.02(j).

Applicants respectfully submit that the combination of Isono and Swift fail to teach or suggest each and every feature as set forth in the claimed invention.

Applicants respectfully submit that not only does the combination of references fail to teach or suggest each and every feature as set forth in the claimed invention, but that one of ordinary skill in the art would not have been motivated to combine/modify the teachings of Isono with Swift because there is no teaching or suggestion in any of the references regarding how or why one would modify such systems to arrive at the claimed invention.

Applicants respectfully submit that dependent claims 5-16, 18 and 19 are allowable over the combination of Isono and Swift for at least the reasons noted above.

Accordingly, withdrawal of the rejection of claims 5-16, 18 and 19 under 35 U.S.C. §103(a) is respectfully requested.

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Conclusion

In view of the foregoing, Applicants respectfully submit that the application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact Carolyn T. Baumgardner (Reg. No. 41,345) at (703) 205-8000 to schedule a Personal Interview.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment from or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, the extension of time fees.

Respectfully submitted,

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Attachment(s): Two (2) replacement drawing sheets, Figs. 2 and 12